



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,929	03/15/2004	Edward A. Enyedy	LEE 2 00381	9567

7590 01/13/2005

Robert V. Vickers, Esq.
Fay, Sharpe, Fagan, Minnich & McKee, LLP
Seventh Floor
1100 Superior Avenue
Cleveland, OH 44114-2518

EXAMINER

LANGDON, EVAN H

ART UNIT PAPER NUMBER

3654

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/800,929

Applicant(s)

ENYEDY, EDWARD A.

Examiner

Evan H Langdon

Art Unit

3654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6/18/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4, 6, 8, 10, 14-16, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gilliland (US 5,540,371) in view of the Applicant's disclosure page 1, lines 15+.

Gilliland discloses a wire feeding mechanism for advancing a continuous length of wire 11 along a pathway, comprising:

a drive roller 32A, 32B for rotation therewith, the drive roller including an outer surface 32 extending circumferentially about the corresponding axis that defines a groove 35 having an included angle of than ninety degrees (Fig. 3B, col.6, lines 48-59), the drive roller compressively contacting a continuous length of wire such that the wire is advanced along the pathway in response to rotation of the drive rollers 32A, 32B.

The applicants disclosed prior art teaches a housing having two roller supports each rotatable about a corresponding axis transverse to a wire pathway, the roller supports being on opposite sides of a pathway and being driveably engaged with each other.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the feeding mechanism of Gilliland to include a housing and roller supports as suggested by the applicant's disclosure, to provide support.

In regards to claim 4, Gilliland discloses where the centerline of the wire 11 is above the outer surface of the drive roller 32A, 32B, (Fig. 3B, col.6, lines 48-59).

In regards to claims 6 and 14, Gilliland discloses a wire feeding mechanism for advancing a continuous length of wire 11 along a pathway, comprising:

a housing 14 having two roller supports each rotatable about an axis transverse to a wire pathway, the roller supports being on corresponding opposite sides of the pathway and being driveably engaged with each other;

a first drive roller 32A concentrically disposed with one of the two roller supports for rotation therewith, the first drive roller including a first drive roller groove 35 extending circumferentially therearound and having a first drive roller included angle of less than ninety degrees (Fig. 3B, col.6, lines 48-59);

a second drive roller 32B concentrically disposed with the other of the two roller supports for rotation therewith, the second drive roller including a second drive roller groove 35 extending circumferentially therearound and having a second drive roller included angle of less than ninety degrees; and

the first and second drive rollers 32A, 32B positioned relative to one another such that a continuous length of wire received in the circumferential grooves between the first and second drive rollers is advanced along the passageway in response to rotation of said first and second drive rollers.

In regards to claim 8 and 18, Gilliland discloses where the centerline of the wire 11 is above the outer surface of the drive roller 32A, 32B, (Fig. 3B, col.6, lines 48-59).

Claims 2, 3, 5, 7, 9, 17, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gilliland in view of the applicant's disclosed prior art of Figure 5.

The disclosed prior art of Figure 5 teaches a groove extending circumferentially around a drive roller for compressively contacting a length of wire, where the groove has an included angle of 60 degrees.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the included angle of the circumferential groove of Gilliland to include an included angle of 60 degrees as suggested by the disclosed prior art of Figure 5, to decrease the compressive forces of the wire.

Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gilliland in view of Blank et al. (US 6,427,894).

Blank teaches a wire feeding mechanism having a first 26, 37 and second 27, 38 set of drive rollers, each having a second drive roller groove (Fig. 3) extending circumferentially therearound and spaced from a first drive roller groove, and where one of the first and second drive rollers is radially adjustable.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the wire feeder of Gilliland to include a second set of drive rollers as suggested by Blank, to increase the driving force on the wire.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the rollers of Gilliland to include a second groove as suggested by Blank, to provide extended life to the roller after the first groove is worn.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the drive rollers of Gillard to include a radially adjustment as suggested by Blank, to control the compressive force of the wire exerted by the roller.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Evan H Langdon whose telephone number is (703)-306-5768. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on (703)-308-2688. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ehl

Kathy Matecki
KATHY MATECKI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600